

Appn. No.: 10/620,249

REMARKS

Claims 1-65 are pending in the instant application. Claims 1, 11, 17, 27, 33, 43, 48, and 58 are amended by this amendment. No new matter is added by the amendments, which find support throughout the specification and figures. Applicants submit herewith a Request for Continued Examination, and therefore it is respectfully requested that the amendments be entered. In view of the amendments and the following remarks, reconsideration and allowance of the instant application are respectfully requested.

Applicants gratefully acknowledge the Examiner's discussion of the application that occurred on or about October 31, 2006, and note with appreciation that the Examiner acknowledges that claim 27, as well as claims 11, 43, and 58, are allowable.

Applicants also note with appreciation that the prior art rejections based on United States Patent No. 6,898,666 to Henry et al. (hereinafter referred to as Henry) were removed by the Advisory Action mailed October 23, 2006.

Claims 1-10, 12-26, 28-42, 44-57, and 59-65 (claim 27 having been indicated to be allowable in the Examiner interview) stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse.

Applicants have amended independent claims 1, 17, 33, and 48 to indicate that all of the second ranges of LBAs comprise *a total LBA range*, and all of the further second ranges of LBAs comprise *the same total LBA range*. It is respectfully submitted that the amendment to these claims clarifies that the reassignment of the interim-fast-access-time nodes to a further second range of LBAs from a second range of LBAs indicates a change in the ranges, and not a change in the total set of LBAs. In this manner, the rebalancing of the present invention is

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achieved. It is respectfully submitted that this feature is discussed in the specification and it is therefore requested that the rejection of these claims be withdrawn.

Similarly, Applicants have amended independent claims 11, 27, 43, and 58 to indicate that all of the first ranges of LBAs comprise *a total LBA range*, and that all of the second ranges of LBAs comprise *the same total LBA range*. It is respectfully submitted that the amendment to these claims clarifies that the relationship between the LBA ranges of the interim-fast-access-time nodes and the LBA ranges of the slow-access-time-mass-storage nodes is that both are overlapping and comprise the same total set of LBAs.

Applicants again respectfully direct the Examiner's attention to step 124 of figure 6 in support of the claimed feature. In particular, the specification states:

FIG. 6 is a flow chart showing steps followed by system 10 on addition or removal of a cache or disk node from system 10, according to a preferred embodiment of the present invention. In a first step 120, a cache or disk node is added or removed from system 10. In an update step 122, system manager 54 updates mapping 28 and/or track location table 21 to reflect the change in system 10. *In a redistribution step 124, system manager 54 redistributes data on disks 12, if the change has been a disk change, or data between cache nodes 20, if the change is a cache change. The redistribution is according to the updated mapping 28, and it will be understood that the number of internal IO transactions generated for the redistribution is dependent on changes effected in mapping 28. Once redistribution is complete, system 10 then proceeds to operate as described with reference to FIG. 4.* It will thus be apparent that system 10 is substantially perfectly scalable.

(Specification; paragraph 0085; emphasis added). As is apparent from the Background section of the specification, a cache is an "interim-fast-access-time node" ("A cache, a fast access time medium, stores a portion of the data contained in the disk" (Specification; paragraph 0003)). Furthermore, the Summary discusses "a plurality of fast access time cache nodes" (Specification; paragraph 0010). It is apparent that the specification as originally filed discloses the features of

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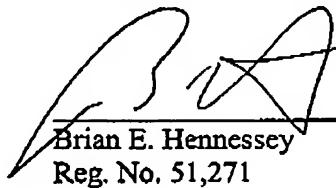
"wherein the interim-fast-access-time nodes are configured to be reassignable to a further second range of the LBAs." The present amendments clarify that the further second range to which the interim-fast-access-time nodes are reassigned are ranges within the same total set of LBAs to which the interim-fast-access-time nodes were previously assigned via the second ranges.

Therefore, it is respectfully requested that the rejections be withdrawn.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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